

Remarks

Claim 51 has been cancelled. Claim 52 has been amended to put in independent form. Claims 60, 62 and 63 have been amended so as to depend from now independent claim 52. No new matter is added by virtue of the amendments contained herein.

Claims 52-54 and 63 have been objected to as being dependent upon a rejected base claim 51. Applicant appreciates the Examiner's indication of allowability of Claims 52-54 and 63, if written in independent form. Claim 52 has been amended to be in independent form, incorporating all the limitations of prior claim 51. Claim 63 has been amended to depend from Claim 52. It is believed the present amendments render the Examiner's objection moot. Withdrawal of the objection is thus respectfully requested.

Claims 51 and 55-62 were rejected under 35 USC §112, first paragraph. The Examiner maintains while the specification is enabling for treating malaria caused by Plasmodium parasite, *P. falciparum* with hydroxydiphenyl ether compounds, it does not reasonably provide enablement for other inhibitors of fatty acid synthesis. Applicant respectfully traverses the rejection.

Applicant submits Claims 55-59 depend from Claim 52. Applicant has amended Claims 60, 62, and 63, which presently depend from now independent Claim 52. As these claims now depend from an independent claim, which has been indicated as allowable, each of these dependent claims, which provide further limitations to the allowable claimed method of Claim 52, should also be allowable. Reconsideration and withdrawal of the rejection is respectfully requested.

Applicant thanks the Examiner for careful consideration of the present case. In view of the amendments and remarks presented herein, Applicant respectfully submits that the case is in condition for allowance. A Notice to that effect is earnestly requested.

If, at any time, it appears that a phone discussion would be helpful, the undersigned would greatly appreciate the opportunity to discuss such issues at the Examiner's convenience. The undersigned can be contacted at (617) 248-5000 or (617) 248-4831 (direct dial).

It is believed no fee is due in connection with this submission, as this response is filed in the two month advantage period for response. However, in the event any fees are due, please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,



Kerri Pollard Schray, Ph.D.
Registration Number 47,066

Choate, Hall & Stewart LLP
Two International Place
Boston, MA 02110
Telephone: (617) 248-5000
Facsimile (617-248-4000

Dated: May 16, 2006

3654391_1.DOC